

Serial No. 10/606,110

REMARKS

Applicant requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1, 3-7, 9, 11-15, 21-23, 25, 26, 28, 29, 31, 33, 35, and 36 are pending in the present application. Claims 1, 9, 14, 15, 21, 23, 35, and 36 are the independent claims.

Claims 9, 21, 23, 35, and 36 have been amended. No new matter is believed to have been added.

Initially, Applicants acknowledge with appreciation the indication that claims 1, 3-7, 14, and 15 are allowed and that claims 21, 22, 25, 26, 28, 29, 31, and 33 recite patentable subject matter and would be allowable if the §112 rejections are overcome.

The drawings and amendments to the specification filed September 1, 2006 stand objected to as introducing new matter.

In a telephone interview on January 23, 2007, the Office took the position that while the Specification included support for a lever shaking unit including a solenoid, the Specification did not support any specific arrangement of how a solenoid would be coupled with the shaking plate. It is to be appreciated that the Specification has already been properly amended to describe a shaker including a solenoid. Without conceding the propriety of the Office's position, in response to the drawings and Specification objection, Applicant has amended the Specification to remove reference to FIGS. 10 and 11, and reference numeral 180, and has broadened claim 15 by amending "solenoid" to "shaker," to encompass at least the following two embodiments, in which a shaker includes: 1) a cam gear, a compression coil spring, and a lever driving motor; and 2) a solenoid.

Claim 21 stands objected to due to informalities. Applicant respectfully submits that the amendment of claim 21 overcomes the objection.

Claims 21-23, 25, 26, 28, 29, 31, and 33 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Regarding claim 21, in the above mentioned telephone interview, Applicant's undersigned representative pointed out that the lever is defined as having a contact surface, and thus, Applicant respectfully submits that recitation of the "another contact surface" of the stripper is proper. Applicant respectfully submits that the amendments of claims 21 and 23 overcome the rejections.

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Claims 23 and 36 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,382,621 (Inoue et al. – hereinafter Inoue). Claims 9 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Inoue in view of U.S. Patent No. 5,443,251 (Kan et al – hereinafter Kan.), and further in view of U.S. Patent No. 6,217,017 (Yamazaki). Claim 11 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Inoue in view of Kan, further in view of Yamazaki, and further in view of U.S. Patent No. 6,000,689 (Furuki et al.). Claim 12 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Inoue in view of Kan, further in view of Yamazaki, and further in view of U.S. Patent No. 5,485,991 (Hirano et al.). Claim 35 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Inoue in view of Yamazaki. All rejections are respectfully traversed.

Amended, independent claim 9 recites: "...the stripper comprises an opening groove formed on an upper portion of the stripper such that the contact surface of the lever contacts the side of the paper through the opening groove."

Amended, independent claim 35 recites: "...the stripper comprises an opening groove formed on an upper portion of the stripper such that the contact surface of the lever contacts the side of the paper through the opening groove."

And amended independent claim 36 recites: "...the stripper comprises an opening groove formed on an upper portion of the stripper such that the contact surface of the lever contacts the side of the paper through the opening groove."

Applicant respectfully submits that the claim 23 has been amended to depend from allowed claim 21, and that indicated allowed subject matter of claim 1 has been incorporated into independent claims 9, 35, and 36.

Accordingly, Applicant respectfully submits that claim 9-13, 23, 35, and 36 are now allowable.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. But if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

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There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents,  
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By: 2/13/07